

IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE - NE/Corner Jolly Acres Road and Old York Road (4500 Jolly Acres Road) 7th Election District 3rd Councilmanic District

* BEFORE THE * DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 92-363-SPHXA

James A. Brazil, et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing in which the Petitioners request approval of a two-story addition to the existing dwelling on the subject property for Petitioners' in-laws: a Petition for Special Exception to approve the use of two buildings on the subject property, zoned R.C. 2, for an antique shop business; and a Petition for Zoning Variance requesting relief from Sections 102.2 and 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a distance between buildings of 45 feet in lieu of 70 feet, and building to lot line setbacks of 28 feet and 21 feet, both in lieu of the required 35 feet for each; from Section 409.8.A.2 of the B.C.Z.R. to permit a crusher run surface in lieu of the required durable and dustless; and from Section 402.B.3 of the B.C.Z.R. to permit a free-standing sign of 40 sq.ft. (20 sq.ft. per side) in lieu of the maximum permitted 5 sq.ft., all as more particularly described on Petitioner's Exhibit 1.

The Petitioners, James and Joanne Brazil, appeared, testified and were represented by Thannis Kanellakos, Esquire. There were no Protestants.

Testimony indicated that the subject property, known as 4500 Jolly Acres Road, consists of 2.68 acres more or less zoned R.C. 2 and is improved with a two-story dwelling, two sheds, and a garage. Petitioners

are desirous of establishing an antique business on the subject property, utilizing the larger, 14.3' x 30.2' shed located to the rear of the subject property for the antique sales shop, and the 23.8' x 33.3' garage building for storage space. In addition, the Petitioners are desirous of adding a two-story addition to the existing dwelling to provide private living quarters for Joanne Brazil's parents. Petitioners testified that these private living quarters will be for Mrs. Brazil's parents, only, and not for any other family members and that they will not be rented for public use. Testimony indicated that the special exception request is for the Petitioners and their children, only, and that the use of the property as an antique shop will be limited to the two buildings described above. Petitioners testified that the variances from setback requirements are needed for existing buildings and that the proposed crusher run surface will be in keeping with the rural character and nature of the surrounding uses in the vicinity. Petitioners testified that the proposed sign is necessary to identify the location of the antique business and will not be illuminated. Testimony and evidence presented indicated that the use of the property as an antique shop meets the special exception requirements set forth in Section 502.1 of the B.C.Z.R. and that the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

It should be noted that the Office of Planning submitted comments dated April 14, 1992 in which they indicate their support of the use proposed. However, the Office of Planning is opposed to the size of the proposed sign, indicating that the requested double-faced sign of 40 sq.ft. is excessive and unnecessary. In the opinion of this Deputy Zoning Commissioner, a 40 sq.ft. sign is unnecessary; however, I believe that a

- 2 -

sign of 30 sq.ft., or 15 sq.ft. per side, is appropriate in this instance given its location on Old York Road, and will so order.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

It is clear that the B.C.Z.R. permits the use proposed in an R.C.2 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes

- 3 -

of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use

- 4 -

of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioners' request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested shall be granted, subject to the restrictions set forth below.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of June, 1992 that the Petition for Special Hearing requesting approval of a two-story addition to the existing dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the restrictions set forth hereinafter; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to approve the use of two buildings on the subject property, zoned R.C. 2, for an antique shop business, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the restrictions set forth hereinafter; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from Sections 102.2 and 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a distance between buildings of 45 feet in lieu of 70 feet, and building to lot line setbacks of 28 feet and 21 feet, both in lieu of the required 35 feet for each; from Section 409.8.A.2 of the B.C.Z.R. to permit a crusher run surface in lieu of the required durable and dustless, in accordance with Petitioner's

Exhibit 1, be and is hereby GRANTED, subject to the restrictions set forth hereinafter; and,

IT IS FURTHER ORDERED that a variance from Section 402.B.3 to permit a 30 sq.ft. (15 sq.ft. per side) freestanding sign in lieu of the permitted 5 sq.ft. sign, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The special hearing relief granted herein is limited to Joanne Brazil's parents, only. No other family members or public rental will be permitted.
- 3) The special exception relief granted herein shall inure to the use and benefit of the Petitioners, only. In the event the subject property is sold, leased or transferred to a third party, then the antique shop use of the subject property shall cease and the special exception relief granted herein shall terminate.
- 4) The use of the property for an antique shop shall be limited to the existing 14.3' x 30.2' frame building located to the rear of the site, identified as a shed on Petitioner's Exhibit 1, and the 23.8' x 33.3' frame building, identified as a garage on Petitioner's Exhibit 1. There shall be no future expansion of the antique shop business without a public hearing.
- 5) The crusher run paving surface shall be treated twice a year in accordance with DEPRM Article 10.18.03.D to prevent particulate matter from becoming airborne. Petitioner shall maintain permanent records which establish that the required treatments have taken place in each of the required years from the date of this Order until the subject use ceases on the subject property. Such records shall be made available on demand for inspection by the Zoning Enforcement Division of the Office of Zoning.
- 6) Prior to the issuance of any permits, Petitioners shall submit a revised site plan incorporating the

relief granted herein. Said plan shall depict the modified sign variance granted herein.

7) Prior to the issuance of any permits, Petitioners shall submit a landscape plan for approval by the Deputy Director of Planning and the Landscape Planner for Baltimore County. A copy of the approved plan shall be submitted to this Office for inclusion in the case file prior to the issuance of any permits.

8) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from Section 402.B.3 of the B.C.Z.R. to permit a freestanding sign of 40 sq.ft. (20 sq.ft. per side) in lieu of the maximum permitted 5 sq.ft., in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

TMK:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 15, 1992

Thomas Kanellakos, Esquire
3224 Eastern Avenue
Baltimore, Maryland 21224

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND ZONING VARIANCE NE/Corner Jolly Acres Road and Old York Road (4500 Jolly Acres Road) 7th Election District - 3rd Councilmanic District James A. Brazil, et ux - Petitioners Case No. 92-363-SPHXA

Dear Mr. Kanellakos:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Special Exception have been granted and the Petition for Zoning Variance granted in part and denied in part in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

- 5 -

- 6 -

- 7 -

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DATE: 5/26/92

James A. and Joanne Brazil
4500 Jolly Acres Road
White Hall, Maryland 21161

RE:
CASE NUMBER: 92-363-XA
N/S Jolly Acres Road on NEC Jolly Acres and Old York Roads
4500 Jolly Acres Road
7th Election District - 3rd Councilmanic
Petitioner(s): James A. and Joanne Brazil

Dear Petitioner(s):

Please be advised that \$157.67 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID. ALSO, THE ZONING SIGN & POST SET(S) MUST BE RETURNED ON THE DAY OF THE HEARING OR THE CASE SHALL NOT BE OPEN. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 115, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your check, immediate attention to this matter is suggested.

Lawrence E. Schmidt
Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
DIRECTOR

cc: Thomas E. Konellakos, Esq.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date: 92-363

Account: R 001-6150
Number

04A04W0119H1CHRC
BA C010:20AM05-05-92
Please Make Checks Payable To: Baltimore County

Case Number: 92-363

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DATE: 4/7/92

James A. and Joanne Brazil
4500 Jolly Acres Road
White Hall, Maryland 21161

RE:
CASE NUMBER: 92-363-XA
N/S Jolly Acres Road on NEC Jolly Acres and Old York Roads
4500 Jolly Acres Road
7th Election District - 3rd Councilmanic
Petitioner(s): James A. and Joanne Brazil

Dear Petitioner(s):

Please be advised that \$119.70 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID. ALSO, THE ZONING SIGN & POST SET(S) MUST BE RETURNED ON THE DAY OF THE HEARING OR THE CASE SHALL NOT BE OPEN. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 115, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your check, immediate attention to this matter is suggested.

Arnold Jablon
DIRECTOR

cc: Thomas E. Konellakos, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

MARCH 27, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 115, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 92-363-XA
N/S Jolly Acres Road on NEC Jolly Acres and Old York Roads
4500 Jolly Acres Road
7th Election District - 3rd Councilmanic
Petitioner(s): James A. and Joanne Brazil
HEARING: WEDNESDAY, APRIL 29, 1992 at 2:00 p.m.

Special Exception for an antique shop (2 buildings).
Variance to permit a 45 foot distance between buildings in lieu of 70 feet; setbacks of 28 feet and 21 feet to a lot line in lieu of 35 feet; to permit a crushed run surface in lieu of the required durable and dustless; and to permit a 40 square foot free-standing sign (20 square feet per face) in lieu of the maximum 5 square feet.

Lawrence E. Schmidt
Lawrence E. Schmidt

Zoning Commissioner of
Baltimore County

cc: James and Joanne Brazil
Thomas E. Konellakos, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

MAY 14, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-363-SP-EXA
N/S Jolly Acres Road on NEC Jolly Acres and Old York Roads
4500 Jolly Acres Road
7th Election District - 3rd Councilmanic
Petitioner(s): James A. and Joanne Brazil
HEARING: WEDNESDAY, JUNE 3, 1992 at 9:30 a.m.

Special Exception for an antique shop (2 buildings).
Variance to permit a 45 foot distance between buildings in lieu of 70 feet; setbacks of 28 feet and 21 feet to a lot line in lieu of 35 feet; to permit a crushed run surface in lieu of the required durable and dustless; and to permit a 40 square foot free-standing sign (20 square feet per face) in lieu of the maximum 5 square feet.
Special Hearing to approve an in-law addition (2) story.

Zoning Commissioner of
Baltimore County

cc: James and Joanne Brazil
Thomas E. Konellakos, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

June 4, 1992

Thomas Konellakos, Esquire
3224 Eastern Avenue
Baltimore, MD 21224

RE: Item No. 429, Case No. 92-363-XA
Petitioner: James A. Brazil, et ux
Petition for Special Hearing

Dear Mr. Konellakos:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21204-5500

MAY 7, 1992

(301) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: JAMES A. BRAZIL AND JOANNE BRAZIL
Location: 4500 JOLLY ACRES ROAD
Item No.: +429(CAM) Zoning Agenda: APRIL 27, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: [Signature] Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

RECEIVED
MAY 11 1992
ZONING OFFICE

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: April 30, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: April 27, 1992

There are no comments for item numbers 429 and 430.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJP/dm

BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief
Development Review Section
Office of Planning and Zoning

DATE: April 28, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - April 20, 1992 & April 27, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Charles Eierman - ITEM 425
Brazil Property - ITEM 429
Gary P. Sweet - ITEM 430
Kathleen and Jimmy Ledwell
Jeffrey and Doris Scheeler
Louis and Janet Heidrich

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

425.txt
Petitns.txt

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

April 29, 1992

TO: Arnold Jablon, Director
Zoning Administration and Development Management

FROM: DIVISION OF GROUND WATER MANAGEMENT

SUBJECT: Zoning Item #429 (item # combined with item #375), Zoning Advisory Committee Meeting of April 27, 1992, James A. Brazil and Joanne Brazil, N/S Jolly Acres Road, on NEC Jolly and Old York Roads (#4500 Jolly Acres Road), D-7, Private Water and Sewer

COMMENTS ARE AS FOLLOWS:

An evaluation of the sewage disposal system will be required prior to the approval of a building permit for the addition.

SSF:rmp

429.ZNG/GWRMP

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 27, 1992

Thanos E. Kanellakos, Esquire
3224 Eastern Avenue
Baltimore, MD 21224

RE: Item No. 375, Case No. 92-363-XA
Petitioner: James A. Brazil, et ux
Petition for Special Exception and Variance

Dear Mr. Kanellakos:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with above referenced petition. The attached comments from each reviewing agency are not intended to assure that that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

BALTIMORE COUNTY GOVERNMENT
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 20th day of March, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:
W. Carl Rebeck Jr.
CHAIRMAN,
ZONING PLANS ADVISORY COMMITTEE

Petitioner: James A. Brazil, et ux

Petitioner's Attorney: Thanos E. Kanellakos

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
New Courts Bldg - 401 Bosley Avenue, Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Office of Planning and Zoning

DATE: April 14, 1992

SUBJECT: 4500 Jolly Acres Road

INFORMATION:

Item Number: 375
Petitioner: James A. Brazil

Property Size: 2.68 acres

Zoning: RC2

Requested Action: Special Exception for an antique shop.

Hearing Date: 4/14/92

SUMMARY OF RECOMMENDATIONS:
This site is located along a major road and the character of the area is low density residential and agricultural.

The proposed sign is excessive and we recommend that the sign should not exceed what is permitted in the Zoning Regulations. Staff recommends DENIAL of the request for a sign variance.

The petitioner is also requesting a Special Exception for an antique shop in an RC2 Zone. Based upon analysis conducted and a site inspection the staff recommends that the special exception be APPROVED subject to the following conditions.

375.ZAC/ZAC1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: April 14, 1992

TO: Arnold Jablon, Director
Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief
Development Review Section
Office of Planning and Zoning

SUBJECT: PETITIONS FROM ZONING
ADVISORY COMMITTEE - March 30, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Theodore C. Solomon	- Item No. 372
James A. Brazil	- Item No. 375
Deborah Rollins Frank	- Item No. 377
Richard Bauman	- Item No. 378
Lakes Property Development Corp	- Item No. 379

jm
PETITNS2.ZON

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: April 1, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famill

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: March 30, 1992

This office has no comments for item numbers 363, 366, 367, 368, 369, 370, 371, 372, 374, 375, 377, 378, 379, 380, 381 and 382.

Rahee J. Famill
Rahee J. Famill
Traffic Engineer II

RJF/lvd

BALTIMORE COUNTY GOVERNMENT
Fire Department

790 East Poppy Road, Suite 901
Towson, MD 21204-5500

(410) 887-4500

APRIL 2, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: JAMES A. BRAZIL AND JOANNE BRAZIL

Location: #4500 JOLLY ACRES ROAD

Item No.: 375 (JCM) Zoning Agenda: MARCH 30, 1992

Gentlemen:

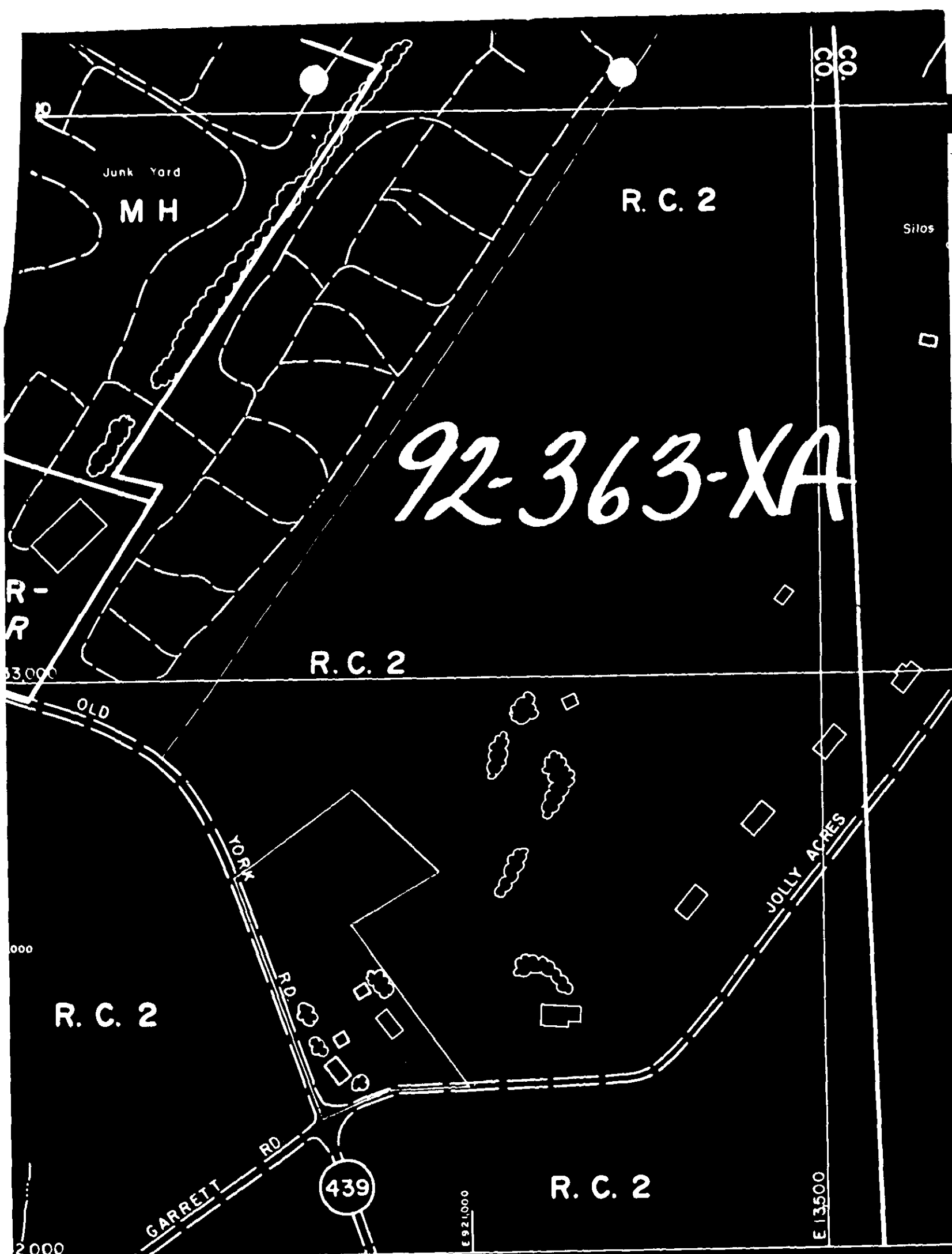
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *W. Carl Rebeck Jr.* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

92-363-XA



1988 COMPREHENSIVE ZONING
 Adopted by the Baltimore County
 Oct. 13, 1988
 Bill Nos. 144-88, 146-88, 148-88, 147-88, 148-88
 Baltimore County Council
 THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 PHOTOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 SUCHART-HORN, INC. BALTIMORE, MD. 21210



92-363-XA

PREPARED BY AIR PHOTOGRAPHICS, INC.
 MARTINSBURG, W.V. 25401

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	WEST OF DRYBRANCH	N E 34-C
DATE OF PHOTOGRAPHY JANUARY 1986		